IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 15880 of 2003

Between:

Repaka Venkata Ramana, S/o Veerraju, Hindu, aged 45 years,
Lessee of Satya Niketan Complex, Shop No.11, Main Road,
Annavaram Post, East Godavari District.

..... PETITIONER

AND

The Executive Officer, Sri Veera Venkata Satyanarayana
Swamivari Devasthanam, Annavaram Post,
East Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of Mandamus, declaring the proceedings of the respondent in Rc.No. C1/965/2003 dt.9.7.2003 directing the petitioner to handover shop No.11, situated in Satyaniketan Complex, belonging to Sri Veera Venkata Sathyanarayana Swamivari Devasthanam, Annavaram Post, E.G.Dist even before the expiry of the lease period by 15.1.2004 mentioning incorrect facts as being illegal, unjust, arbitrary and voilative of Art.14 and 21 of the Constitution of India.

Counsel for the Petitioner: MR.E.V.BHAGIRATHA RAO

Counsel for the Respondent: MR.E.SAMBASIVA PRATAP

The Court made the following:

ORAL ORDER:

Termination of lease before its expiry, which is valid up to 15.01.2004, is the subject matter of this Writ Petition.

Learned counsel for the petitioner submits that pursuant to the interim order, the petitioner is in continuous possession of the shop leased out to him and the lease period has already been expired on 15.01.2004.

In view of the same, the respondent-Devasthanam shall pass necessary orders as to the entitlement of the petitioner for renewal of the lease. If the petitioner is not entitled for renewal of lease, necessary procedure as contemplated under Section 83 of the Endowments Act, has to be followed for due eviction of the petitioner. In other words, the petitioner shall not be dispossessed without following due procedure prescribed by law.

Accordingly, the writ petition is disposed of. No costs.

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22nd June, 2004.

*Nsr/Js

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Executive Officer, Sri Veera Venkata Satyanarayana Swamivari Devasthanam, Annavaram Post, East Godavari District.
2. Two CD copies.